

## **REMARKS**

### **I. STATUS OF THE CLAIMS**

Claims 1-4, 6, 7, 11, 13-17, 26 and 28 have been amended. Claims 1-45 are pending and under consideration. Claims 1, 5, 11, 17, 26, 28, 30 and 36 are the independent claims. Applicants assert that no new matter has been added.

### **II. OBJECTION TO SPECIFICATION**

On page 2, items 2 and 3, the Office Action objected to the Specification.

In response to the item 2 objection, applicants have replaced the paragraph starting on page 7, line 9, such that the terms "DVD," "CD," and "CD ROM" have been spelled out.

In response to the item 3 objection, applicants have replaced the paragraph starting on page 18, line 4, such that the hyperlink is removed.

### **III. OBJECTION TO CLAIMS**

On page 2, items 4-6, the Office Action objected to claims 1, 2, 4, 6 and 7.

In response to the item 4 objection, applicants have amended claims 2 and 6 such that the terms "CD ROM" and "DVD" have been spelled out.

In response to the item 5 objection, applicants have amended claims 1 and 7 such that the use of parentheses has been removed.

In response to the item 6 objection, applicants have amended claims 4 and 6 such that the "i" in the term "internet" has been capitalized.

Accordingly, applicants respectfully request the objections to the claims be withdrawn.

### **IV. REJECTION UNDER 35 U.S.C. § 102(e)**

Claims 1-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shear et al. (US Patent Application Publication 2001/0042043, hereinafter Shear). This rejection is respectfully traversed.

As shown in the Specification, particular embodiments of the present invention allow for three-dimensional image data to be encoded with different levels of access for various components of a file (see Specification paragraph [0037]). This allows user access levels that provide the ability to decode and modify only certain components of the three-dimensional image file (see Figure 9 for one example of components of a mixed-media file).

In contrast, Shear describes a system wherein secure "software containers" are used to protectively encapsulate various digital property content and control objects (i.e., sets of rules). For example, valuable video, image and multimedia are stored in a protected container so that only authorized devices and/or applications are permitted access to the contents. On the other hand, audio samples, trailers, and/or advertising are stored in a clear (non-protected) container which are freely accessible by any appropriate application or device (see Abstract, paragraphs [0054-0055]). In other words, Shear describes a rights management system where access to certain content is protected using containers. In Shear, access to content is dependent on which container the particular content is stored. Shear, however, fails to describe an encoding and decoding system having a *set of access levels* for modifying *particular components* of a mixed-media file in response to a particular accessing activity. For example, in Shear, if two users have access to video contents, Shear does not describe, for example, the ability of the first user to modify only color attributes of the video contents, and the ability for the second user to modify only the audio stream of the video contents. This is not surprising because Shear's objectives are directed towards merely controlling the *content access*, and therefore, are not concerned with controlling the modifications to particular components of the content itself. Particular embodiments of the present invention, however, provide the ability to have levels of access for modifying particular components of the content itself (see Figures 9 and 10 for example).

In a non-limiting example, the embodiment of claim 1 recites:

wherein user access to said data is possible in response to an accessing activity performed by a user and, **in a first level access, a first set of user modifications** may be made to said data in response to a first accessing activity and, **in a second level access, a second set of user modifications** may be made to said data in response to a second accessing activity

(lines 4-8, emphasis added). On page 3, item 8, the Office Action cites paragraphs [0216-0220] of Shear as disclosing the above mentioned features as recited by claim 1. This assertion is respectfully traversed.

Shear paragraphs [0216-0220] merely describe a method of encrypting/decrypting key blocks wherein the keys required to decrypt the encrypted key blocks may be hidden on the medium itself. As described above, the disclosure of Shear fails to describe the feature of having levels of access to determine sets of user modifications. Accordingly, Shear fails to describe a "first level access, a first set of user modifications... [and] in a second level access, a second set of user modifications" as recited by claim 1. Accordingly, claim 1 patentably distinguishes over the cited art for at least the above-mentioned reasons.

Independent claims 5, 11, 26 and 28 recite “a first accessing activity provides a first level of access and a second accessing activity provides a second level of access,” and therefore patentably distinguish over the cited art.

Independent claim 17 recites “a first accessing activity provides a first level of access and a second accessing activity provides a second level of access,” and therefore patentably distinguishes over the cited art.

Independent claim 30 recites “wherein said transmitted encoded data includes data fields configured to allow levels of access to a user in response to particular user access activities.” As described above, Shear only describes one level of access, and therefore, does not describe “configured to allow levels of access to a user in response to particular user access activities” as recited by claim 30. Accordingly, claim 30 patentably distinguishes over the cited art.

Independent claim 36 recites “a first level of access to said mixed-media data and a second accessing activity provides a second level of access to said mixed-media data,” and therefore patentably distinguishes over the cited art.

Dependent claims 2-4, 6-10, 12-16, 18-25, 27, 29, 31-35 and 37-45 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed with respect to their respective base claims. In addition, the dependent claims are patentable over the cited art for the additional features recited therein. For example, claim 12 recites:

wherein said **media data types include** motion data, model data, deformation parameters, constraints, expressions or relations, textures, colour values, cameras, lights, video, audio, device information, a timeline or user data or any combination of these data types

(lines 1-4, emphasis added). Shear fails to describe any such media data types.

In view of the above, applicants assert that claims 1-45 patentably distinguish over the cited art and respectfully request the rejection be withdrawn.

## **V. CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees or credits associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.


Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

11/6/7

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